

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JANE DOE,

Plaintiff,

v.

ACTIVE MACHINE & TOOL, INC.,
and TIM VAN DAM,

Defendants.

CASE NO. 1:10-CV-95

HON. ROBERT J. JONKER

ORDER

Before the Court is Plaintiff's motion for relief from the administrative stay and to amend the complaint (docket # 12). For the reasons given below, the motion is granted in part.

On March 31, 2009, the Court administratively closed the case (docket ## 9, 10) with regard to Active Machine & Tool, Inc. and Tim Van Dam after receiving notice that each Defendant had filed a petition in Bankruptcy. *See* 11 U.S.C. § 362. It further ordered Plaintiff to file an amended complaint or other appropriate papers addressing the problem of her proceeding under a pseudonym without the Court's permission. (*See* docket # 10.)

Plaintiff now moves the Court for permission to amend her complaint to proceed under her given name rather than a pseudonym. This request complies with the Court's previous order. She further states that the Bankruptcy Court has granted a limited relief from the administrative stay against Mr. Van Dam (*see id. ex. A*), and she moves the Court for relief from the administrative stay based on the Bankruptcy Court's order. Plaintiff has demonstrated that the automatic stay should be lifted as against Mr. Van Dam. (*Id.*) Plaintiff has not, however, demonstrated that the Bankruptcy Court has lifted the stay as against Active Machine & Tool, which is currently in its own,

separate bankruptcy proceeding. (*See* docket ## 5, 6.) Accordingly, the Court will reopen these proceedings as against Mr. Van Dam only at this time.

IT IS ORDERED that Plaintiff's motion is **GRANTED** only to the extent provided in this order, and **DENIED** in all other respects. The administrative stay is lifted against Mr. Van Dam only, and Plaintiff may file an amended complaint reflecting her given name.

Dated: August 24, 2010

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE